IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

WP(C).No. 1911 of 2007(C)

PETITIONER:

ANITHA THANKAM, W/O K.BINESH KUMAR
7/492 KALIKA, RAGHAVAPURAM, PANAYOOR P.O.
PALAKKAD - 678 552

BY ADV. SRI.N.RAGHURAJ
SRI.A.V.RAVI
SMT.K.AMMINIKUTTY

RESPONDENTS:
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1. **COCHIN DEVASWOM BOARD, THRISSUR**
REP. BY ITS SECRETARY.

2. **THE MANAGER, PATASSALA SAMSKRITHA**
HIGH SCHOOL (PSHS), CHITTOOR, PALAKKAD

3. **THE HEADMASTER, PATASSALA SAMSKRITHA**
HIGH SCHOOL, CHITTOOR, PALAKKAD

4. **THE DISTRICT EDUCATIONAL OFFICER, PALAKKAD**

BY G.P. SRI.A.J.VARGHESE
ADV.SRI.RAMESH CHANDER, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

W.P.(C).No.1911 OF 2007

Dated this the 17th day of January, 2007

JUDGMENT

Petitioner challenges Ext.P2 and seeks a direction to the fourth respondent to consider Ext.P3 representation in the light of the provisions of Rule 51A of Chapter XIV A of KER as amended and to declare that the appointment of any teacher either in UP section or High School section overlooking the claims of the petitioner under Rule 51A of Chapter XIVA of KER is illegal and ultravires of the provisions of the KER.

2. Feeling aggrieved by Ext.P2, petitioner has preferred Ext.P3 representation before the fourth respondent.

3. I heard learned Government Pleader also.

4. In such circumstances, I feel that a decision should be taken on Ext.P3. Accordingly, this writ petition is disposed of directing the fourth respondent to consider and take a decision on

Ext.P3 in accordance with law after hearing the petitioner, the second respondent and all other affected parties within a period of two months from the date of receipt of a copy of this judgment. It is open to the petitioner to rely on the decision reported in **Jannet Varghese v. State of Kerala** (2006(3) KLT 435). I leave open the contentions of the petitioner.

Writ petition is disposed of as above.

K.M.JOSEPH
JUDGE

sv.